

## REMARKS

Claims 10-18 are pending and at issue in the above identified patent application. Claims 10 and 16 are in independent form. In view of the foregoing amendments and the following remarks, reconsideration of the application is respectfully requested.

### **Claim Objections**

Claims 17-18 were objected to due to incorrect claim dependencies. Appropriate correction has been made.

### **The Rejections under 35 U.S.C. § 102/§ 112**

Claim 10 was rejected as potentially encompassing actual construction of a tangible swing-joint interconnection between tangible pipes. Per the Examiner's suggestion, the preamble of claim 10 has been amended to exclude this interpretation.

### **The Rejections under 35 U.S.C. § 102(b/a)**

Claims 10-18 were rejected as anticipated by AutoSPRINK<sup>®</sup>. In particular, the claims were rejected as anticipated by the AutoSPRINK<sup>®</sup> online help as detailed in the present action. To further clarify Applicant's previous response, the release date for the swing joint feature was after October 4, 2000. The release date of the AutoSPRINK<sup>®</sup> online documentation was after September 27, 2001. Accordingly, the online help relied upon by the Examiner is not prior art under § 102. Therefore, it is respectfully submitted that claims 10-18 are in condition for allowance.

### **The Rejections under 35 U.S.C. § 102(f)**


Claims 10-18 were also rejected under 35 U.S.C. § 102(f). The Examiner asserts that that the applicant did not invent the claimed subject matter. As stated by the Examiner: (1) David H. Hoeft is the sole inventor and is the president of Software Engineering, Inc. (SEI); and (2) M.E.P.CAD is a client of SEI. In addition, M.E.P.CAD hired SEI to develop AutoSPRINK. During that development, David H. Hoeft invented the features claimed herein. There is no evidence of record to the contrary.

Reconsideration of the application and allowance thereof are respectfully requested. If there is any matter that the examiner would like to discuss, the examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,

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